

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

THE COMMONWEALTH OF  
MASSACHUSETTS,

*Plaintiff,*

and

AQUINNAH/GAY HEAD  
COMMUNITY ASSOCIATION, INC.  
(AGHCA) and TOWN OF AQUINNAH,

*Intervenor-Plaintiffs/Counterclaim-  
Defendants,*

vs.

THE WAMPANOAG TRIBE OF GAY  
HEAD (AQUINNAH), THE  
WAMPANOAG TRIBAL COUNCIL OF  
GAY HEAD, INC., and THE  
AQUINNAH WAMPANOAG GAMING  
CORPORATION,

*Defendants/Counterclaim-Plaintiffs,*

and

CHARLIE BAKER, in his official  
capacity as GOVERNOR,  
COMMONWEALTH OF  
MASSACHUSETTS, et al.,

*Third-Party Defendants.*

**CASE NO: 1:13-cv-13286-FDS**

[Formerly Supreme Judicial Court for Suffolk  
County, Massachusetts, CIVIL ACTION NO.  
2013-0479 ]

**(PROPOSED) FORM OF ORDER AND FINAL JUDGMENT**

Upon consideration of Plaintiff-Intervenor Town of Aquinnah's Motion for Entry of Final Judgment, the pleadings filed in support and in opposition, and arguments made in open court, it is hereby Ordered that such Motion be DENIED.

It is FURTHER ORDERED that FINAL JUDGMENT be entered as follows:

For the reasons set forth in *Massachusetts v. Wampanoag Tribe of Gay Head (Aquinnah)*, 853 F.3d 618, 629 (1st. Cir. 2017) Final Judgment is entered in favor of the Wampanoag Tribe of Gay Head (Aquinnah) and the Aquinnah Wampanoag Gaming Corporation (collectively "Tribe"). The Commonwealth of Massachusetts, the Town of Aquinnah and the Aquinnah Gay Head Community Association are permanently enjoined from asserting jurisdiction over, or interfering with, the Tribe's rights under the Indian Gaming Regulatory Act, 25 U.S.C. §§ 2701 *et seq.*

Dated:

\_\_\_\_\_  
Honorable United States District Court Judge